

#17

## EDELL, SHAPIRO &amp; FINNAN, LLC

(INTELLECTUAL PROPERTY LAW)

1901 RESEARCH BOULEVARD, SUITE 400

ROCKVILLE, MARYLAND 20850-3164

TELEPHONE: (301)424-3640

FACSIMILE (301)762-4056

IRA EDELL

DIRECT LINE: (240)864-2410

E-MAIL: [ice@USIPLAW.com](mailto:ice@USIPLAW.com)**CONFIDENTIAL****FACSIMILE COVER SHEET**

(Time Sensitive - Please Deliver Immediately)

Date: July 29, 2005

To: LaVerne Smith

Fax No. - 571-273-0053

From: Ira Edell

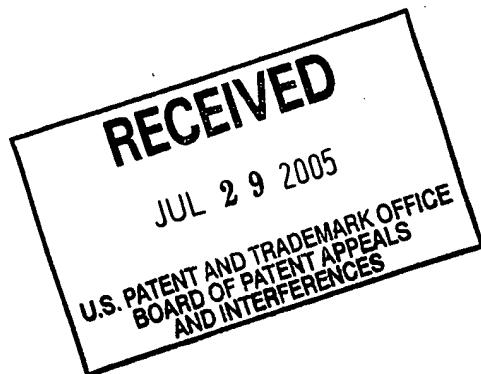
Total Pages (incl. cover) - 8

re: Application Serial No.: 10/039,338; Appeal No. 2003-1272

Please see attached.

A mail confirmation copy of the transmitted document will not be sent unless otherwise indicated.

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Attorney Docket No. 1332.0189C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the PATENT application of

Ernie L. Deacon et al.

Serial No.: 10/039,338

**Appeal No. 2003-1272**

Filed: October 29, 2001

For: Golf Shoe Cleat

**REQUEST FOR RE-MAILING DECISION**

Hon. Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

It is respectfully requested that the Decision On Appeal, dated June 2, 2005, be re-mailed and that a new period for responding thereto be initiated. The reasons for this request are stated below.

I, the undersigned, am Appellant's attorney of record. I did not receive the Decision On Appeal. It was late in the day on July 28, 2005, during a regular bi-monthly search on the PAIR system for the status of this case, that I first learned that there had been a decision dated June 2, 2005. I immediately undertook a search of the entire office for my firm for evidence that the decision had been received and found no such evidence. The next morning, on July 29, 2005, a telephone call was placed to the Board, and Ms. Frances Han kindly emailed a copy of the decision to me. Ms. Han indicated that in order to have the Decision re-mailed to restart the response period, it would be necessary to file this document along with evidence that the Decision On Appeal was not received.

It is the regular practice of our firm that all papers received from the USPTO must pass through the firm's docketing clerk who then enters the document and any due dates for responses into the computer docketing system.

The system keeps a record of the docket for each case and for each attorney in the firm, and since I am the only attorney responsible for the referenced case, any received papers pertaining to this case are entered into my docket.

Attached to this request are copies of our firm's docket for the subject application (3 pages) and the docket for the entire firm for matters due on August 2, 2005 (two pages), which is the due date for responding to the Decision On Appeal. It can be seen that the docket for the subject application shows the last received paper to be the Examiner's Answer and that there is no record of the Decision On Appeal having been received. The firm's docket for August 2, 2005 contains no item for the subject application..

It should further be noted that it would be unlikely, bordering on the impossible, for a 37-page Decision On Appeal to be lost in this firm.

In view of the foregoing it is submitted that the time for responding to the Decision On Appeal should be reset in order for Appellant to determine the proper approach for responding and to prepare the response papers.

Respectfully submitted,



Ira C. Edell  
Registration No. 24,119

EDELL, SHAPIRO & FINNAN, LLC  
1901 Research Boulevard, Suite 400  
Rockville, Maryland 20850-3164  
(301) 424-3640  
Sent By Facsimile: July 29, 2005

/29/2005

Patent Information Print

Socket No	1332.0189C	Serial No	10/039,338
Country	United States	Filing Dt	10/29/2001
Base Type	Regular	Patent No	
Relation Type	Continuation	Grant Dt	
Filing Type	National	Publication #	
Filing No		Publication Dt	
Attorney	Ira C. Edell	Assigned	
Agent		Expiration Dt	
Client\Division	MEYERS, RODBELL & ROSENBAUM	Conv Type	
Current Owner	SOFTSPIKES, INC.	Tax Base Dt	
Prev Own		Next Tax Dt	
Status	Filed	Associate	
First Filing Dt	11/8/1993	Oper Grp	
Sub Stat		Ag Ref No	
Sub Stat Dt		Verified	N
Parent Country		Customer	E4PP
Parent Filing Dt	11/8/1993	Create Dt	1/24/2002
Parent No	08/149,193	Update Dt	7/17/2005
Parent Grant Dt		Update Tm	0918
Total Claims		Update User	PDC
Ind. Claims		Update Type	

\*\* Actions \*\*

Action	IDS Filed	Comp Dt	10/29/2001
Act Due Date	10/29/2001	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Info Discl. Statement	Comp Dt	10/29/2001
Act Due Date	1/29/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Filing receipt received	Comp Dt	1/31/2002
Act Due Date	1/31/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Filing Rcpt Rcvd ?	Comp Dt	1/31/2002
Act Due Date	2/28/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	First office action	Comp Dt	3/19/2002
Act Due Date	3/19/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Response to 1st office action	Comp Dt	6/19/2002
Act Due Date	6/19/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Response first OA - 1st extens	Comp Dt	7/19/2002
Act Due Date	7/19/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Reponse first OA - second exte	Comp Dt	8/19/2002
Act Due Date	8/19/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Response 1st office action fil	Comp Dt	8/19/2002
Act Due Date	8/19/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Final rejection	Comp Dt	9/24/2002
Act Due Date	9/24/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	

7/29/2005

Patent Information Print

Action	Notice of Appeal	Comp Dt	10/16/2002
Act Due Date	10/16/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Response to provoke advisory a	Comp Dt	10/16/2002
Act Due Date	11/24/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Appeal brief	Comp Dt	12/16/2002
Act Due Date	12/16/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Appeal due	Comp Dt	10/16/2002
Act Due Date	12/24/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Final rejection due	Comp Dt	10/16/2002
Act Due Date	12/24/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Office Action Rcvd?	Comp Dt	3/19/2002
Act Due Date	12/29/2002	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Appeal brief filed	Comp Dt	1/14/2003
Act Due Date	1/14/2003	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Appeal brief - 1 month extensi	Comp Dt	1/14/2003
Act Due Date	1/16/2003	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Examiners' Answer	Comp Dt	1/31/2003
Act Due Date	1/31/2003	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Office Action Rcvd?	Comp Dt	9/24/2002
Act Due Date	2/19/2003	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Reply brief - 1 month reminder	Comp Dt	2/28/2003
Act Due Date	2/28/2003	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Request oral hearing - 1 month	Comp Dt	2/28/2003
Act Due Date	2/28/2003	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Reply brief - final deadline	Comp Dt	3/31/2003
Act Due Date	3/31/2003	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Oral hearing - final deadline	Comp Dt	3/31/2003
Act Due Date	3/31/2003	Resp Atty #1	
Mailing Dt		Resp Atty #2	
DeadLn Dt			
Action	Examiner Answer Rcvd?	Comp Dt	1/31/2003
Act Due Date	7/14/2003	Resp Atty #1	

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Patent Information Print

Leadln Dt

Action	N/Allowance Rcvd Yet?	Comp Dt
Act Due Date	7/28/2005	Resp Atty #1
Mailing Dt		Resp Atty #2
Leadln Dt		

Action	Small Entity Status	Comp Dt
Act Due Date		Resp Atty #1
Mailing Dt		Resp Atty #2
Leadln Dt		

\*\* Inventors \*\*

Inv Name	DEACON, Ernie L.	Assigned
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Inv Name	MC MULLIN, F.	Assigned
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\*\* Title \*\*

Title	GOLF SHOE CLEAT
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## Actions Due Report

7/29/2005

Action Due Date	Action	Docket Number	Ctry Code	Types	App No.	App Dt.	Attorney Client/Div
7/1/2005	Office Action Rcvd?	0120.0014C	USA		10/857,624	6/1/2004	AJA 0120
7/1/2005	Title: METHODS OF ELECTROPOLISHING PATTERNED SUBSTRATES						
7/1/2005	Filing Rept Rcvd ?	0120.0025C	USA		11/095,656	4/1/2005	AJA 0120
7/1/2005	Title: PROVINDING TO AROMATIC CARBOXYLIC ACID MANUFACTURING PROCESS						
7/1/2005	Status Inquiry	0370.0026TW	TAIW		92109237	4/21/2003	DAF 0370
7/1/2005	Title: SYSTEM AND METHOD FOR SPECTRUM MANAGEMENT OF A SHARED FREQUE						
7/1/2005	Response Due	0375.0006F	TAIW		92113098	5/15/2003	HGM 0375
7/1/2005	Title: VAPOR AUGMENTED HEATSINK WITH MULTI-WICK STRUCTURE						
7/1/2005	Response to provoke	0520.0002R	USA	RR	10/102,140	3/21/2002	PJF 0520
7/1/2005	Title: POWER FILTER CIRCUIT RESPONSIVE TO SUPPLY SYSTEM FAULT CONDI						
8/1/2005	Review USA - 9 month	0621.0690P	USA	L	60/623,242	11/1/2004	HRR 0621
8/1/2005	Title: PACKAGING FOR ANIMATED FIGURE						
8/1/2005	Reminder issue fee d	0633.0001C	USA		10/849,526	5/20/2004	ICE 0633
8/1/2005	Title: IMPROVED THERAPEUTIC BACK EXERCISE MACHINE						
8/1/2005	Office Action Rcvd?	0918.0040C	USA		09/711,177	11/13/2000	PJF 0918
8/1/2005	Title: METHOD AND APPARATUS FOR GENERATING AN INTERLEAVED CODE						
8/1/2005	Filing Rept Rcvd ?	0928.0200C	USA		11/095,670	4/1/2005	PJF 0928
8/1/2005	Title: METHOD FOR TESTING AN INTEGRATED SEMICONDUCTOR MEMORY WITH A						
8/1/2005	Notice Of Missing Pa	0928.0213C	USA		11/123,221	5/6/2004	PJF 0928
8/1/2005	Title: INTEGRATED SEMICONDUCTOR MEMORY						
8/1/2005	N/Allowance Rcvd Yet	1321.0004M	USA	RR	09/908,488	7/19/2001	SBS 1321
8/1/2005	Title: CONTROLLED TEMPERATURE CABINET AND METHOD						
8/1/2005	Response Due	1332.0282EU	EPC		03791606.1	8/11/2003	ICE 1332
8/1/2005	Title: INDEXXABLE SHOE CLEAT WITH IMPROVED TRACTION						
8/1/2005	Filing Rept Rcvd ?	1332.0388C	USA		10/541,426	9/1/2004	ICE 1332
8/1/2005	Title: STUDDED FOOTWEAR						
8/1/2005	10 month reminder to	2053.0007P	USA	L	60/614,459	10/1/2004	DAF 2053
8/1/2005	Title: ARBITRARY WAVEFORM SYNTHESIZER TO GENERATE ONE OR MORE ARBITR						
8/2/2005	Foreign filing deadl	0370.0025C4	USA	P	10/909,450	8/2/2004	DAF 0370
8/2/2005	Title: SIGNAL PULSE DETECTION SCHEME FOR USE IN REAL-TIME SPECTRUM						
8/2/2005	Foreign filing deadl	0370.0115C	USA		10/909,455	8/2/2004	DAF 0370
8/2/2005	Title: AUTOMATED REAL-TIME SITE SURVEY IN A SHARED FREQUENCY BAND E						
8/2/2005	Office Action Rcvd?	0730.0051M	USA	C	10/181,442	10/2/2002	AJA 0730
8/2/2005	Title: REACTIVE MAGNESSIUM OXIDE CMENTS						
8/2/2005	Response to provoke	0818.0155C	USA	D	10/379,382	3/5/2003	AJA 0818
8/2/2005	Title: PRODUCTION OF HOLLOW TUBES FROM POLYMER FIBERS						
8/2/2005	Response to provoke	0918.0075C	USA		09/978,186	11/13/2001	PJF 0918
8/2/2005	Title: METHOD AND APPARATUS FOR GENERATING A COMPOSITE SIGNAL						
8/2/2005	Office Action Rcvd?	0928.0032C	USA		10/789,994	3/2/2004	PJF 0928
8/2/2005	Title: METHOD FOR FORMING AN OPENING IN A LIGHT-ABSORBING LAYER ON						
8/2/2005	Reminder issue fee d	0928.0087C	USA		10/947,449	9/23/2004	PJF 0928
8/2/2005	Title: CIRCUIT ARRANGEMENT FOR SETTING A VOLTAGE SUPPLY FOR A TEST						
8/2/2005	Published	0928.0179C	USA		11/046,905	2/1/2005	PJF 0928
8/2/2005	Title: CAPACITOR WITH A DIELECTRIC INCLUDING A SELF-ORGANIZED MONOL						

## Actions Due Report

7/29/2005

Action Due Date	Action	Docket Number	Ctry Code	Types	App No.	App Dt.	Attorney Client/Div
7/2/2005	Info Disc1. Statemen	0928.0197C	USA		11/118,374	5/2/2005	PJF 0928
Title:	DISTRIBUTION OF SIGNALS THROUGHOUT A SPINE OF AN INTEGRATED						
7/2/2005	Notice Of Missing Pa	0928.0219C	USA		11/116,439	4/28/2005	PJF 0928
Title:	METHOD FOR EXPOSING A SEMICONDUCTOR WAFER						
7/2/2005	Petition For Exam	1331.0012F	CANA		2,384,383	8/2/2000	PJF 1331
Title:	METHOD AND APPARATUS FOR DETERMINING THE POSITION OF A MOBIL						
7/2/2005	Petition For Exam	1331.0014F	KORS		10-2002-7001504	8/2/2000	PJF 1331
Title:	METHOD AND APPARATUS FOR DETERMINING THE POSITION OF A MOBIL						
7/2/2005	Info Disc1. Statemen	3001.0221C	USA		11/118,768	5/2/2005	PJF 3001
Title:	MEMORY CELL ARRAY AND METHOD OF MANUFACTURING THE SAME						
8/3/2005	Office Action Rcvd?	0271.0002D	USA	D	29/194,830	12/3/2003	HGM 0271
Title:	A HANDBAG						
8/3/2005	Review USA - 11 mont	0322.0010P	USA	L	60/606,894	9/3/2004	AJA 0322
Title:	FLUID DELIVERY ASSEMBLY						
8/3/2005	Drawings required or	0506.0045C	USA		10/841,831	5/10/2004	AJA 0506
Title:	SYSTEM FOR PURIFYING AND REMOVING CONTAMINANTS FROM GASEOUS						
8/3/2005	Issue Fee Due	0506.0045C	USA		10/841,831	5/10/2004	AJA 0506
Title:	SYSTEM FOR PURIFYING AND REMOVING CONTAMINANTS FROM GASEOUS						
8/3/2005	Publication Fee Due(	0506.0045C	USA		10/841,831	5/10/2004	AJA 0506
Title:	SYSTEM FOR PURIFYING AND REMOVING CONTAMINANTS FROM GASEOUS						
8/3/2005	Reponse 2nd office a	0621.0169C	USA	C	10/116,063	4/5/2002	HRR 0621
Title:	CHILD ACTIVITY DEVICE						
8/3/2005	PATENT RCVD YET?	0918.0037C	USA		09/711,169	11/13/2000	PJF 0918
Title:	METHOD AND APPARATUS FOR GENERATING RANDOM PERMUTATIONS						
8/3/2005	Confirm Dsgnt'd Ctry	0918.0241I	PCT		PCT/US05/15311	5/3/2005	PJF 0918
Title:	EMBEDDED CHANNEL ANALYSIS FOR RF DATA MODEM						
8/3/2005	Notice Of Missing Pa	0928.0220C	USA		11/117,712	4/29/2005	PJF 0928
Title:	METHOD FOR PRODUCTION OF TRENCH DRAM CELLS AND A TRENCH DRAM						
8/3/2005	Reminder issue fee d	1332.0307D	USA	D	29/196,768	1/6/2004	ICE 1332
Title:	FOOTWEAR CLEAT (PIVOT)						
8/3/2005	Office Action Rcvd?	1633.0133C	USA		10/859,114	6/3/2004	PJF 1633
Title:	ELECTRICAL CONTACTING METHOD						
8/3/2005	Office Action Rcvd?	1988.0007C	USA	C	10/859,155	6/3/2004	PJF 1988
Title:	SPINDLE MOTOR						
8/3/2005	Notice Of Missing Pa	3001.0221C	USA		11/118,768	5/2/2005	PJF 3001
Title:	MEMORY CELL ARRAY AND METHOD OF MANUFACTURING THE SAME						